

Notice of Allowability	Application No.	Applicant(s)
	09/865,756	BLACK, GERALD R.
	Examiner DANIEL G. MARIAM	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to an amendment filed 4/14/05 and a telephone interview dated 6/30/05.
2. The allowed claim(s) is/are 19,20 and 22.
3. The drawings filed on 25 May 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 06302005.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.


DANIEL MARIAM

PRIMARY EXAMINER

EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE

✓ Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gerald R. Black (Reg. No. 29,514) on June 30, 2005.

The application has been amended as follows:

Cancel claims 21 and 23.

Amend claim 19 as follows:

At line 4, delete the limitation "either but not both of" --

At line 8, delete the second occurrence of "processor" and replace it with "the" --

At line 8, delete "with" and replace it with "within" --

Amend claim 20 as follows:

At line 7, delete the second occurrence of "processor" and replace it with "the" --

At line 7, delete "with" and replace it with "within" --

At line 15, after the limitation "images" insert ";" and whereby the text images generated by the stylus are downloadable from the scanned text images retained in the processor memory within the stylus" --

Amend claim 22 as follows:

At line 7, delete the second occurrence of "processor" and replace it with "the" --

At line 7, delete "with" and replace it with "within" - -

At line 14, after the limitation "images" insert ";" and whereby the text images generated by the stylus are downloadable from the scanned text images retained in the processor memory within the stylus" - -

✓ Reasons for Allowance

2. Claims 19, 20, and 22 are allowed. The claims will be renumbered as 1-3.
3. The following is an examiner's statement of reasons for allowance: the closest prior art to Karamchetty does not teach or fairly suggest, among other things, whereby identity authentication is based upon a comparison of either the captured fingerprint or thumbprint against a reference print, such identity authentication being independent of the text images, and whereby the text images generated by the stylus are downloadable from the scanned text images retained in the processor memory within the stylus. It is for this reason and in combination with all of the other elements of the claims that claims 19, 20 and 22 are allowable over the closest prior art of Karamchetty.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL G. MARIAM whose telephone number is 571-272-7394. The examiner can normally be reached on M-F (7:00-4:30) FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH M. MEHTA can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DANIEL MIRIAM
PRIMARY EXAMINER

June 30, 2005